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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,722	08/18/2003	Chon-Chen Lin	T-1250	4696

802 7590 01/06/2005

DELLETT AND WALTERS
P. O. BOX 2786
PORTLAND, OR 97208-2786

EXAMINER

HUNTER, ALVIN A

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3711

Applicant's reply to the Office Action of August 31, 2004 was received in the U.S. Patent and Trademark Office on November 30, 2004, which is after the expiration of the period for reply set for a restriction requirement which is THIRTY DAYS, though the office action summary for the restriction requirement erroneously states 3 MONTHS. The application will become abandoned unless applicant obtains an extension of the period for reply set in the above noted Office action. The applicant's time period to response began from August 31, 2004 and any response received herein until extension of time fee has been received.

An extension of the reply period may be obtained by filing a petition under 37 CFR 1.136(a). The petition must be accompanied by the appropriate fee as set forth in 37 CFR 1.17 (copy of current fee schedule attached). The date on which the reply, the petition, and the fee have been filed is the date of the reply and also the date for purposes of determining the period of extension and the corresponding amount of the fee due. The expiration of the time period is determined by the amount of the fee paid.

Applicant is advised that in no case can any extension carry the date for reply to an Office action beyond the maximum period of SIX MONTHS set by statute. Additionally, extensions may not be granted under 37 CFR 1.136(a) for more than FIVE MONTHS beyond the time period set in an Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is (571) 272-

Art Unit: 3711

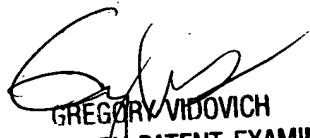
4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAH

Alvin A. Hunter, Jr.


GREGORY VIDOVICH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



United States Patent and Trademark Office

FEE

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USPTO Fee Information > FY 2005 Fee Schedule

UNITED STATES PATENT AND TRADEMARK OFFICE
FY 2005 FEE SCHEDULE
Effective December 8, 2004

The President has signed the Consolidated Appropriations Act, 2005 (Consolidated Appropriations Act), for the remainder of Fiscal Year 2005 (H.R. 4818). The Consolidated Appropriations Act also revises patent fees during the remainder of fiscal year 2005 and during fiscal year 2006. Specifically, for the remainder of fiscal year 2005 and for fiscal year 2006, the Consolidated Appropriations Act revises patent fees, including maintenance fees, and provides for a separate patent filing fee, search fee, and examination fee, and requires an additional fee for any patent application whose specification and drawings exceed 100 sheets of paper (application size fee). The new fees are set forth in the below fee schedule.

Applicability: Effective immediately, the application filing fee (or national fee), search fee, examination fee and application size fee apply to national patent applications filed on or after December 8, 2004, and to international applications in which the basic national fee is paid on or after December 8, 2004. The remaining patent fee changes, including the excess claims fees, extension of time fees, maintenance fees, and appeal fees, apply to any fee payment made on or after December 8, 2004, regardless of the filing date of the application, or the issue date of the patent for which the fee is submitted.

The new basic filing fee (or national fee), search fee, examination fee, and application size fee will apply to national patent applications filed on or after the date of enactment of the Consolidated Appropriations Act and to international patent applications in which the basic national fee is paid on or after the date of enactment. The filing fee (or national fee), search fee, and examination fee are due on filing.

Partial payment of filing fees: If the full basic filing fee or full basic national fee in effect on December 7, 2004 is paid on or after December 8, 2004, but the fees for the filing fee (or national fee), search fee, and examination fee in effect on December 8, 2004 are not paid in full, the outstanding fees due must be paid within a time period set by the Office, but no surcharge will be required until further notice.

Any fee amount paid on or after December 8, 2004, must be paid as shown in the revised fee schedule, which reflects when the old filing fees still apply.






The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column. For additional information, please contact the USPTO Contact Center at (703) 308-4357 or (800) 786-9199. Payments from foreign countries must be payable and immediately negotiable in the United States for the full amount of the fee required.

Patent	Patent Cooperation Treaty	Trademark
Patent Application Filing Fees	PCT Fees - National Stage	Trademark Processing Fees
Patent Search Fees	PCT Fees - International Stage	Trademark Madrid Protocol Fees
Patent Examination Fees	PCT Fees to WIPO or EPO	Trademark International Application Fees
Patent Post-Allowance Fees		Trademark Service Fees
Patent Maintenance Fees		Fastener Quality Act Fees
Miscellaneous Patent Fees	General	
Post Issuance Fees	Finance Service Fees	
Patent Extension of Time Fees	Computer Service Fees	
Patent Appeals/Interference Fees		

Patent Petition Fees
 Patent Service Fees
 Patent Enrollment Fees

USPTO Fee Schedule, effective December 8, 2004

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Filing Fees				Back to Top
1011/2011		Basic filing fee - Utility <i>filed on or after December 8, 2004</i>	300.00	150.0
4011†		Basic filing fee - Utility (electronic filing for small entities) <i>filed on or after December 8, 2004</i>	n/a	75.0
1001/2001		Basic filing fee - Utility <i>filed before December 8, 2004</i>	790.00	395.0
1201/2201		Independent claims in excess of three	200.00	100.0
1202/2202		Claims in excess of twenty	50.00	25.0
1203/2203		Multiple dependent claim	360.00	180.0
1051/2051	1.16(e)	Surcharge - Late filing fee or oath or declaration	130.00	65.0
1081/2081		Utility Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1012/2012		Basic filing fee - Design <i>filed on or after December 8, 2004</i>	200.00	100.0
1002/2002		Basic filing fee - Design <i>filed before December 8, 2004</i>	350.00	175.0
1017/2017		Basic filing fee - Design (CPA) <i>filed on or after December 8, 2004</i>	200.00	100.0
1007/2007		Basic filing fee - Design (CPA) <i>filed before December 8, 2004</i>	350.00	175.0
1082/2082		Design Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1013/2013		Basic filing fee - Plant <i>filed on or after December 8, 2004</i>	200.00	100.0
1003/2003		Basic filing fee - Plant <i>filed before December 8, 2004</i>	550.00	275.0
1083/2083		Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1014/2014		Basic filing fee - Reissue <i>filed on or after December 8, 2004</i>	300.00	150.0
1004/2004		Basic filing fee - Reissue <i>filed before December 8, 2004</i>	790.00	395.0
1019/2019		Basic filing fee - Reissue (CPA) <i>filed on or after December 8, 2004</i>	300.00	150.0
1009/2009		Basic filing fee - Reissue (CPA) <i>filed before December 8, 2004</i>	790.00	395.0
1204/2204		Reissue independent claims in excess of three	200.00	100.0

1205/2205		Reissue claims in excess of twenty	50.00	25.0
1084/2084		Reissue Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1005/2005		Provisional application filing fee	200.00	100.0
1085/2085		Provisional Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1052/2052	1.16(l)	Surcharge - Late provisional filing fee or cover sheet	50.00	25.0
1053		Non-English specification	130.00	
† The 4000 series fee code may be used via EFS at http://www.uspto.gov/ebs/efs/index.html				
Patent Search Fees			 Back to Top	
1111/2111		Utility Search Fee	500.00	250.0
1112/2112		Design Search Fee	100.00	50.0
1113/2113		Plant Search Fee	300.00	150.0
1114/2114		Reissue Search Fee	500.00	250.0
Patent Examination Fees			 Back to Top	
1311/2311		Utility Examination Fee	200.00	100.0
1312/2312		Design Examination Fee	130.00	65.0
1313/2313		Plant Examination Fee	160.00	80.0
1314/2314		Reissue Examination Fee	600.00	300.0
Patent Post-Allowance Fees			 Back to Top	
1501/2501		Utility issue fee	1,400.00	700.0
1502/2502		Design issue fee	800.00	400.0
1503/2503		Plant issue fee	1,100.00	550.0
1511/2511		Reissue issue fee	1,400.00	700.0
1504	1.18(d)	Publication fee for early, voluntary, or normal publication	300.00	
1505	1.18(d)	Publication fee for republication	300.00	
Patent Maintenance Fees			 Back to Top	
1551/2551		Due at 3.5 years	900.00	450.0
1552/2552		Due at 7.5 years	2,300.00	1,150.0
1553/2553		Due at 11.5 years	3,800.00	1,900.0
1554/2554	1.20(h)	Surcharge - 3.5 year - Late payment within 6 months	130.00	65.0
1555/2555	1.20(h)	Surcharge - 7.5 year - Late payment within 6 months	130.00	65.0
1556/2556	1.20(h)	Surcharge - 11.5 year - Late payment within 6 months	130.00	65.0
1557	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable	700.00	
1558	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional	1,640.00	
Miscellaneous Patent Fees			 Back to Top	
1801/2801	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	790.00	395.0
1808	1.17(i)	Processing fee, except in provisional applications	130.00	
1803	1.17(i)	Request for voluntary publication or republication	130.00	
1802	1.17(k)	Request for expedited examination of a design application	900.00	

1804	1.17(n)	Request for publication of SIR - Prior to examiner's action	920.00*	
1805	1.17(o)	Request for publication of SIR - After examiner's action	1,840.00*	
1806	1.17(p)	Submission of an Information Disclosure Statement	180.00	
1807	1.17(q)	Processing fee for provisional applications	50.00	
1809/2809	1.17(r)	Filing a submission after final rejection (see 37 CFR 1.129(a))	790.00	395.0
1810/2810	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129 (b))	790.00	395.0
*Reduced by basic filing fee paid.				
Post Issuance Fees				Back to Top
1811	1.20(a)	Certificate of correction	100.00	
1812	1.20(c)(1)	Request for ex parte reexamination	2,520.00	
1813	1.20(c)(2)	Request for inter partes reexamination	8,800.00	
1821/2821		Reexamination independent claims in excess of three	200.00	100.0
1822/2822		Reexamination claims in excess of twenty	50.00	25.0
1814/2814		Statutory disclaimer	130.00	65.0
Patent Extensions of Time Fees				Back to Top
1251/2251		Extension for response within first month	120.00	60.0
1252/2252		Extension for response within second month	450.00	225.0
1253/2253		Extension for response within third month	1,020.00	510.0
1254/2254		Extension for response within fourth month	1,590.00	795.0
1255/2255		Extension for response within fifth month	2,160.00	1,080.0
Patent Appeals/Interference Fees				Back to Top
1401/2401		Notice of appeal	500.00	250.0
1402/2402		Filing a brief in support of an appeal	500.00	250.0
1403/2403		Request for oral hearing	1,000.00	500.0
Patent Petition Fees				Back to Top
1462	1.17(f)	Petitions to the Director not specifically provided for (Group I)	400.00	
1463	1.17(g)	Petitions to the Director not specifically provided for (Group II)	200.00	
1464	1.17(h)	Petitions to the Director not specifically provided for (Group III)	130.00	
1451	1.17(j)	Petition to institute a public use proceeding	1,510.00	
1452/2452		Petition to revive unavoidably abandoned application	500.00	250.0
1453/2453		Petition to revive unintentionally abandoned application	1,500.00	750.0
1454	1.17(t)	Acceptance of an unintentionally delayed claim for priority	1,370.00	
1455	1.18(e)	Filing an application for patent term adjustment	200.00	
1456	1.18(f)	Request for reinstatement of term reduced	400.00	
1457	1.20(j)(1)	Extension of term of patent	1,120.00	
1458	1.20(j)(2)	Initial application for interim extension (see 37 CFR 1.790)	420.00	
1459	1.20(j)(3)	Subsequent application for interim extension (see 37 CFR 1.790)	220.00	
PCT Fees - National Stage				Back to Top

1631/2631		Basic National Stage Fee	300.00	150.0
1632/2632		National Stage Search Fee	500.00	250.0
1633/2633		National Stage Examination Fee	200.00	100.0
1614/2614		Claims - extra independent (over three)	200.00	100.0
1615/2615		Claims - extra total (over twenty)	50.00	25.0
1616/2616		Claims - multiple dependent	360.00	180.0
1681/2681		National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	250.00	125.0
1617/2617	1.492(e)	Oath or declaration after thirty months from priority date	130.00	65.0
1618	1.492(f)	English translation after thirty months from priority date	130.00	

PCT Fees - International Stage[Back to Top](#)

1601	1.445(a)(1)	Transmittal fee	300.00	
1602	1.445(a)(2)	PCT search fee - no prior U.S. application filed under 35 USC 111 (a)	1,000.00	
1603	1.445(a)(2)	PCT search - prior U.S. application filed under 35 USC 111(a) with basic filing fee under 37CFR 1.16(a) paid, identified at time of filing international application	300.00	
1604	1.445(a)(3)	Supplemental search fee per additional invention	1,000.00	
1605	1.482(a)(1)	Preliminary examination fee - U.S. was the ISA	600.00	
1606	1.482(a)(1)	Preliminary examination fee -U.S. was not the ISA	750.00	
1607	1.482(a)(2)	Supplemental examination fee per additional invention	600.00	
1619		Late payment fee	variable	
1620		Confirmed precautionary designation - confirmation portion	52.00**	
1621		Transmitting application to Intl. Bureau to act as receiving office	300.00	
1624		Confirmed precautionary designation - designation portion	104.00**	


** Fee only applies to international applications filed prior to January 1, 2004.

PCT Fees to WIPO or EPO***[Back to Top](#)

1701		International filing fee (first thirty pages) - PCT Easy	1,053.00	
1702		International filing fee (first thirty pages)	1,134.00	
1703		Supplemental international filing fee (for each page over thirty)	12.00	
1704		International search (EPO)	1,920.00	
1705		Handling fee	162.00	
1708		International CD applications	4,800.00	

*** WIPO and EPO fees subject to periodic change due to fluctuations in exchange rate. Refer to the **Official Gazette** of the United States Patent and Trademark Office for current amounts.**Patent Service Fees**[Back to Top](#)

8001	1.19(a)(1)	Printed copy of patent w/o color, delivery by USPS, USPTO Box, or electronic means	3.00	
8003	1.19(a)(2)	Printed copy of plant patent in color	15.00	
8004	1.19(a)(3)	Color copy of patent (other than plant patent) or SIR containing a color drawing	25.00	
8005	1.19(a)(1)	Patent Application Publication (PAP)	3.00	

8007	1.19(b)(1)(i)(A)	Copy of patent application as filed	20.00	
8008	1.19(b)(1)(i)(B)	Copy of patent-related file wrapper and contents of 400 or fewer pages, if provided on paper	200.00	
8009	1.19(b)(1)(i)(C)	Additional fee for each additional 100 pages of patent-related file wrapper and (paper) contents, or portion thereof	40.00	
8010	1.19(b)(1)(i)(D)	Additional fee for certification of patent-related file wrapper and (paper) contents	25.00	
8011	1.19(b)(1)(ii)(B)	Copy of patent-related file wrapper and contents if provided electronically or on a physical electronic medium as specified in 1.19(b)(1)(ii)	55.00	
8012	1.19(b)(1)(ii)(C)	Additional fee for each continuing physical electronic medium in single order of 1.19(b)(1)(ii)(B)	15.00	
8041	1.19(b)(2)(i)(A)	Copy of patent-related file wrapper contents that were submitted and are stored on compact disk or other electronic form (e.g., compact disks stored in Artifact folder), other than as available in 1.19(b)(1); first physical electronic medium in a single order	55.00	
8042	1.19(b)(2)(i)(B)	Additional fee for each continuing copy of patent-related file wrapper contents as specified in 1.19(b)(2)(i)(A)	15.00	
8043	1.19(b)(2)(ii)	Copy of patent-related file wrapper contents that were submitted and are stored on compact disk, or other electronic form, other than as available in 1.19(b)(1); if provided electronically other than on a physical electronic medium, per order	55.00	
8013	1.19(b)(3)	Copy of office records, except copies of applications as filed	25.00	
8014	1.19(b)(4)	For assignment records, abstract of title and certification, per patent	25.00	
8904	1.19(c)	Library service	50.00	
8015	1.19(d)	List of U.S. patents and SIRs in subclass	3.00	
8016	1.19(e)	Uncertified statement re status of maintenance fee payments	10.00	
8017	1.19(f)	Copy of non-U.S. document	25.00	
8050	1.19(g)	Petitions for documents in form other than that provided by this part, or in form other than that generally provided by Director, to be decided in accordance with merits	AT COST	
8018	1.21(c)	Disclosure document filing fee	10.00	
8019	1.21(d)	Local delivery box rental, annually	50.00	
8020	1.21(e)	International type search report	40.00	
8902	1.21(g)	Self-service copy charge, per page	0.25	
8021	1.21(h)	Recording each patent assignment, agreement or other paper, per property	40.00	
8022	1.21(i)	Publication in Official Gazette	25.00	
8023	1.21(j)	Labor charges for services, per hour or fraction thereof	40.00	
8024	1.21(k)	Unspecified other services, excluding labor	AT COST	
8025	1.21(l)	Retaining abandoned application	130.00	
8026	1.21(n)	Handling fee for incomplete or improper application	130.00	
8027	1.296	Handling fee for withdrawal of SIR	130.00	
Patent Enrollment Fees				 Back to Top

9001	1.21(a)(1)(i)	Application fee (non-refundable)	40.00	
9003	1.21(a)(2)	Registration to practice or grant of limited recognition under §11.9 (b) or (c)	100.00	
9004	1.21(a)(3)	Reinstatement to practice	40.00	
9005	1.21(a)(4)	Certificate of good standing as an attorney or agent	10.00	
9006	1.21(a)(4)	Certificate of good standing as an attorney or agent, suitable for framing	20.00	
9010	1.21(a)(1)(ii) (A)	For test administration by commercial entity	200.00	
9011	1.21(a)(1)(ii) (B)	For test administration by the USPTO	450.00	
9012	1.21(a)(5)(i) under §11.2(c)	Review of decision by the Director of Enrollment and Discipline	130.00	
9013	1.21(a)(5)(ii) under §11.2(d)	Review of decision of the Director of Enrollment and Discipline	130.00	
9014	1.21(a)(10)	Application fee for person disciplined, convicted of a felony or certain misdemeanors under §11.7(h)	1,600.00	Back to top
GENERAL FEES				
Finance Service Fees				Back to Top
9201	1.21(b)(1) or 2.6(b)(13)(i)	Establish deposit account	10.00	
9202	1.21(b)(2) or 2.6(b)(13)(ii)	Service charge for below minimum balance	25.00	
9202	1.21(b)(3)	Service charge for below minimum balance restricted subscription deposit account	25.00	
9101	1.21(m) or 2.6(b)(12)	Processing each payment refused or charged back	50.00	
Computer Service Fees				Back to Top
8031/8531		Computer records	AT COST	
Trademark Processing Fees ****				Back to Top
6001/7001	2.6(a)(1)	Application for registration, per class	335.00	
6002/7002	2.6(a)(2)	Filing an Amendment to Allege Use under §1(c), per class	100.00	
6003/7003	2.6(a)(3)	Filing a Statement of Use under §1(d)(1), per class	100.00	
6004/7004	2.6(a)(4)	Filing a Request for a Six-month Extension of Time for Filing a Statement of Use under §1(d)(1), per class	150.00	
6005	2.6(a)(15)	Petitions to the Director	100.00	
6006	2.6(a)(19)	Dividing an application, per new application (file wrapper) created	100.00	
6201/7201	2.6(a)(5)	Application for renewal, per class	400.00	
6203/7203	2.6(a)(6)	Additional fee for filing renewal application during grace period, per class	100.00	
6204	2.6(a)(21)	Correcting a deficiency in a renewal application	100.00	
6205/7205	2.6(a)(12)	Filing §8 affidavit, per class	100.00	
6206/7206	2.6(a)(14)	Additional fee for filing §8 affidavit during grace period, per class	100.00	
6207	2.6(a)(20)	Correcting a deficiency in a §8 affidavit	100.00	

6208/7208	2.6(a)(13)	Filing §15 affidavit, per class	200.00	
6210	2.6(a)(7)	Publication of mark under §12(c), per class	100.00	
6211	2.6(a)(8)	Issuing new certificate of registration	100.00	
6212	2.6(a)(9)	Certificate of correction, registrant's error	100.00	
6213	2.6(a)(10)	Filing disclaimer to registration	100.00	
6214	2.6(a)(11)	Filing amendment to registration	100.00	
6401/7401	2.6(a)(16)	Petition for cancellation, per class	300.00	
6402/7402	2.6(a)(17)	Notice of opposition, per class	300.00	
6403/7403	2.6(a)(18)	Ex parte appeal, per class	100.00	

Trademark Madrid Protocol Fees **** [Back to Top](#)

6901/7901	7.6(A)(1)	Certifying an International application based on single application or registration, per class	100.00	
6902/7902	7.6(A)(2)	Certifying an International application based on more than one basic application or registration, per class	150.00	
6903/7903	7.6(A)(3)	Transmitting a Request to Record an Assignment or restriction under 7.23 or 7.24	100.00	
6904/7904	7.6(A)(4)	Filing a Notice of Replacement, per class	100.00	
6905/7905	7.6(A)(5)	Filing an affidavit under 71 of the Act, per class	100.00	
6906/7906	7.6(A)(6)	Surcharge for filing affidavit under 71 of the Act during grace period, per class	100.00	
6907/7907	7.6(A)(7)	Transmitting a subsequent designation	100.00	


Trademark International Application Fees**** [Back to Top](#)

7951	7.7(1)	International application fee	Reference CFR 7.7 for payment of fees to International Bureau (IB) and IB calculator at: http://www.wipo.int/madrid/en	
7952	7.14(C)	Correcting irregularities in an International application		
7953	7.21	Subsequent designation fee		
7954	7.23	Recording of an assignment of an international registration under 7.23		

**** The 7000 series fee codes identified under the Trademark Processing, Madrid Protocol, WIPO and International Application Fees sections above may be used via e-TEAS at <http://www.uspto.gov/teas/e-TEAS/index.html>. In addition, the 6000 series fee codes under the Trademark Madrid Protocol Fees are being offered temporarily for use as a paper-based filing alternative.

Trademark Service Fees [Back to Top](#)

8501	2.6(b)(1)	Printed copy of registered mark, delivery by USPS, USPTO Box, or electronic means	3.00	
8503	2.6(b)(4)(i)	Certified copy of registered mark, with title and/or status, regular service	15.00	
8504	2.6(b)(4)(ii)	Certified copy of registered mark, with title and/or status, expedited local service	30.00	
8507	2.6(b)(2)	Certified copy of trademark application as filed	15.00	
8508	2.6(b)(3)	Certified or uncertified copy of trademark-related file wrapper and contents	50.00	
8513	2.6(b)(5)	Certified or uncertified copy of trademark document, unless otherwise provided	25.00	

8514	2.6(b)(7)	For assignment records, abstracts of title and certification per registration	25.00	
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Last Modified: 12/17/2004 15:1